

REMARKS

The Final Office Action mailed May 14, 2007 has been received and reviewed. Claims 1, 6 and 24-26 were pending in the application and under examination. Applicants have cancelled claim 1 and amended claims 24 and 25 and respectfully request reconsideration of the application as amended herein.

Amendment to the Specification

The Examiner objected to the specification because of an informality in the text found in Paragraph 0042, line 3. This paragraph has been amended to replace the “box” between 37 and C with the correct symbol, “ ∞ ”.

35 U.S.C. § 112 Claim Rejections

Claims 1 stands rejected under 35 U.S.C. § 112, first paragraph. This rejection is rendered moot by the cancellation of claim 1.

Claims 24-26 stand rejected under 35 U.S.C. 112, second paragraphs, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. This rejection was based on a reference to non-existent SEQ ID NO: 214 in claim 24. Claim 24 has been amended to correct this typographical error and recite the intended SEQ ID NO: 2. The Applicants submit that this correction overcomes the rejection of claims 24-26 for indefiniteness and request withdrawal of this rejection.

35 U.S.C. § 102 Claim Rejections

The Examiner also rejected claims 25 and 26 under 35 U.S.C. 102(b) as being anticipated by Keener (2001) WO 01/60393. However, the Examiner also suggested that this rejection could be overcome by amending claim 25 to change the article before “polynucleotide” from “a” to “the.” The Applicants have made this amendment and request withdrawal of this rejection.

ENTRY OF AMENDMENTS

The amendments to claims 24 and 25 and the specification above should be entered by the Examiner because the amendments are supported by the as-filed specification and drawings and do not add any new matter to the application. Further, the amendments do not raise new issues or require a further search.

CONCLUSION

Claims 6 and 24-26 are believed to be in condition for allowance, and an early notice thereof is respectfully solicited. Should the Examiner determine that additional issues remain which might be resolved by a telephone conference, he is respectfully invited to contact Applicants' undersigned attorney.

Respectfully submitted,

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